

THE BYWORD

WORKING TIME

The law on working hours and well-being at work

05

The rules on daily and weekly working hours

07

Exemptions from the working time rules

09

Breaks and rest periods

WORKING
TIME
WORKING
TIME

CONTENTS

05

The rules on daily and weekly working hours

07

Exemptions from the working time rules

08

Overtime

09

Breaks and rest periods

10

Consequences of breaches of the law on working hours

10

What other rules do employers need to be aware of?

11

Work-related stress and overwork

12

Trends

14

Top Ten Tips

15

Contacts

WORKING TIME

In this report covering

51

countries, we take a global look at the law on working hours, breaks and rest time between work shifts and how it is applied in different countries. We also look at the changing nature of work, in particular, the growing tendency for people to work on various devices from a range of locations and the implications this has, both in terms of time recording and the ability of employees to disconnect fully from work outside working hours.

COUNTRIES PARTICIPATING IN OUR RESEARCH:

Argentina, Austria, Belarus, Belgium, Brazil, Bulgaria, Canada, Chile, China, Colombia, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Hong Kong, India, Ireland, Israel, Italy, Japan, Kazakhstan, Latvia, Luxembourg,

Mexico, Netherlands, New Zealand, Norway, Panama, Peru, Poland, Portugal, Romania, Russia, Serbia, Singapore, Slovakia, Spain, Sweden, Switzerland, Turkey, UAE, Ukraine, the UK, the US and Venezuela.

THE RULES ON DAILY AND WEEKLY WORKING HOURS

An international perspective on working time rules

In most places, there is a statutory limit on daily working time of roughly 8-10 hours, and a limit on weekly working of between 38 and 48 hours. In some countries, the week is distributed over 6 days, rather than 5. This is the case, for example, in some South American countries, including Peru, Chile, Mexico and Colombia. Daily hours should generally be divided evenly, but allowance is often made for longer hours over short periods.

In China, most workers are under the 'standard system' 8-hour day, 40-hour week. Jobs in industries requiring continuous work are subject to the 'comprehensive system', which calculates average hours over a longer reference period. The Dutch rules are complicated, based on a series of different reference periods (e.g. 55 hours a week within 4 weeks and 48 within 16).

In some European countries such as Denmark, Italy and the UK, there is no cap on daily working hours, but the EU rules on daily rest (11 consecutive hours in every 24) effectively restrict an employee's daily hours. Note that in some countries, such as Austria, employers should ask employees whether they have a secondary job, because the onus is on the employer to ensure that the combined time does not exceed the maximum.



In New Zealand and Hong Kong, there is no statutory limit and in the US the position is complex: federal law does not limit working hours, but those working over 40 hours a week must be paid 1.5 times their regular pay for all excess hours. State law may impose further limits and where more than one set of rules applies, the most favourable to the employee is used. However, there is a perception among worker advocates that the federal wage/hour law does not adequately protect workers.

SPECIAL CASES

In many places, there are special rules for certain categories of people and types of work. In Ukraine, women with a child under 14 or

“

There is a perception among worker advocates in the US that the federal wage-hour law does not adequately protect workers

a disabled child, are entitled to a reduced working week for the same pay. In Norway, which has detailed rules for special categories of workers, shift work must not exceed 9 hours in 24. In Turkey, night work is restricted to 7.5 hours per shift, although workers in certain industries can work more if they consent in writing. In Mexico and Venezuela, a night shift is 7 hours. The night working rules sometimes also mandate higher pay. In Greece and Estonia, for instance, night work is remunerated by an extra 25% and in Venezuela, at least 30%. The EU restricts nightwork to an average of 8 hours in every 24.

Some countries restrict work involving specific risks, as is common across central and eastern Europe. In Russia, those within the '3rd and 4th category of harm' generally have a 36-hour week and disabled people, 35. In Kazakhstan, disabled people work 36 hours. In the Czech Republic the hours are shorter for underground workers (from 40 to 37.5 hours). In Serbia, those in dangerous jobs work 30 hours (40 hours being standard).

In some places, including the UAE, Slovakia, Luxembourg and Cyprus, there are also detailed rules for different sectors. In Serbia, for example, drivers in the transportation sector work a maximum of 14 hours, overtime

included, whilst the standard is 12. In India, the general rules limit work to either 8 or 9 hours a day, but in manufacturing, 9 hours automatically applies.

In many countries, work is prohibited on Sundays (or, in some places, Saturdays) or on public holidays (see graph, p9) unless an alternative day off is given within a time limit. In Ukraine, work must also be reduced by one hour the day before a public holiday, whilst in the UAE, during Ramadan, employers must reduce the working hours of all employees (irrespective of religion) by two hours per day, without reducing pay. In its financial free trade zones, during Ramadan, Muslim employees cannot work over 6 hours a day.

WHERE THE NORMAL RULES DON'T APPLY

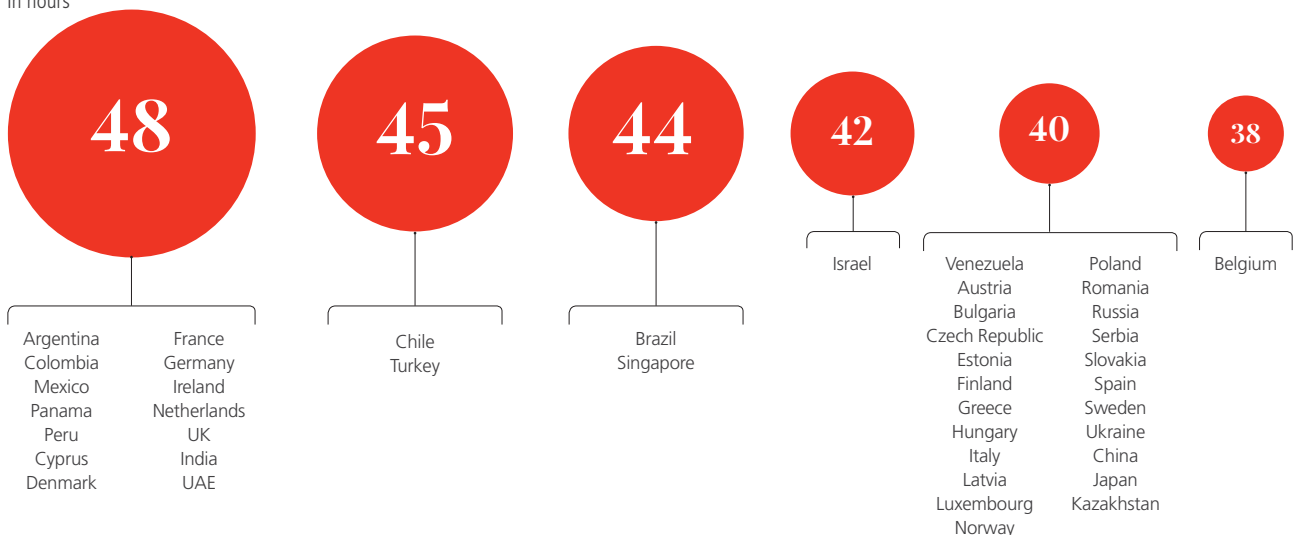
Whatever the general rules, there is usually provision for overtime in emergencies. This is the case, for example, in Romania, where there is a statutory exception, Slovakia, and the UAE. In Colombia employers can compel employees to work overtime in force majeure situations, provided they keep records. Similarly, in Croatia, the employer must request work in situations of 'pressing need' in writing, or if this is not possible, confirm in writing within 7 days.



“ Whatever the general rules, there is usually provision for overtime in emergencies

MAXIMUM STATUTORY WORKING HOURS PER WEEK IN SELECTED COUNTRIES

In hours



* note this chart shows maximum statutory hours, rather than commonly-worked hours

EXEMPTIONS FROM THE WORKING TIME RULES

Managers, teleworkers, homeworkers, sales reps and others are sometimes not subject to the working time rules

One immediately noticeable aspect of working time rules is that they often don't apply to large numbers of people. It should not be inferred, of course, that those who are exempt automatically work longer hours, but there are fewer constraints.

So who is exempt? Often, managerial employees or those with a special relationship of trust. Sometimes also those who work without direct supervision (e.g. homeworkers and sales reps) are excluded, whereas those over whom employers have more direct control are subject to the rules. Note that in many countries, senior executives are not classed as employees, but in this report, we concentrate on those who are.

In Canada, by and large, managers are exempt, although the rules vary by province and there are also federal rules. In the US, long working hours are common in law, medicine and finance in upper-level managerial positions, as these workers are generally exempt from the working time rules. But there is a 'grey area' between exempt and non-exempt employees that has caused a series of class actions claiming employees were misclassified as exempt and denied overtime pay. There have been calls recently to increase the salary threshold required for the exemption, to include over a million additional workers.

The EU has an exemption for those for whom the duration of work is not measured/ predetermined or can be determined by the workers themselves. This tends to

mean 'managing executives.' Typically, the rules are interpreted differently in different member states. In Ireland, doctors, servicemen and the police are exempt, for example, along with managing executives, - but teleworkers are not generally exempt. In Germany there is a tendency to treat employees as executives even if they do not meet the EU requirements. In Hungary, executives, flexible workers and teleworkers are broadly exempt, but sales reps are subject to the rules. One unusual feature of Hungarian law is that although the usual working week is up to 48 hours, relatives of the employer may work up to 72 hours. In the Netherlands, the rules do not apply to professionals paid over 3 times the minimum wage. In Italy, executives, teleworkers and 'smartworkers' are excluded from the rules, whereas in Denmark, teleworkers and sales reps are both fully covered.

Other countries with analogous rules to the EU range from Israel, to Switzerland, to Mexico and Argentina. But note that although Israeli employers may agree with employees that they are exempt, the courts may disagree and reclassify them. In Kazakhstan, art, media and cultural workers and sportsmen may all be put on a different working regime, but there is no blanket exemption for managers. Chinese employees subject to the 'flexible system' - usually senior managers - often work excessive hours, although the employer must still ensure they take rest.

In Singapore, the exemption is not framed in terms of managers or others: the working time rules only apply to employees earning less than SGD 2,600 and workmen earning less than SGD 4,500 per month.

In Ukraine, which has some of the strictest working time rules in the world, there are no exemptions and the general 8-hour per day rule applies to everyone. But the rules are so strict that it is hard for some employers to comply and so they are often circumvented, resulting in senior executives routinely working significant hours. Likewise, there are no exemptions in Mexico, but there too, the rules are frequently by-passed and managers work long hours.

EXCEEDING THE WORKING TIME LIMITS BY AGREEMENT

Many countries have a mechanism for agreeing a regular extension to the working week, but some do not. For example, in Belgium, Brazil, Mexico and Colombia, hours can be exceeded by collective bargaining agreement, although sometimes with an upper limit. In Cyprus, an opt-out of the rules is possible with employees' consent. In Greece, the working week can be extended by 5 hours, if distributed evenly over 5 days and provided +20% is paid. In Chile, it is not possible to exceed the limits by agreement, but the Labour Authority can, exceptionally, authorise a special working schedule. By contrast, in the Czech Republic, the working hours rules cannot be circumvented, even by agreement.

CLASSIFYING EMPLOYEES CORRECTLY MATTERS

In Japan, a manager at MacDonald's supervising a large number of workers was found to be subject to the working time rules and therefore in line for overtime pay.

OVERTIME

Both a legal and cultural issue

In some countries, as soon as you have gone beyond the hours specified in your contract, you are working overtime. In others, work is only classed as overtime if the extra hours go above the statutory limit (hours beyond the contract but below the legal limit are sometimes called ‘supplementary hours’).

In most countries overtime (working beyond stated hours) is possible, but many places set strict limits. In some, authorisation is needed from a government agency. The limits can involve restrictions on hours per day, week, month or other reference period, along with an overall annual limit. A higher rate of overtime pay may also be set by law. Some countries ban overtime for particular categories of people, the most prevalent being pregnant workers – and one or two countries get reasonably close to banning overtime altogether.

In Ukraine overtime is only possible under very limited circumstances, such as for work of ‘public necessity’ involving essential utilities and transport, but, as the rules are difficult to navigate, many employers fail to implement them. Belgium is also strict, with overtime only permitted in limited circumstances or with consent. The rules are relatively strict also in Croatia, but non-compliance is hard for employees to prove and so litigation around overtime is rare. The opposite is true in Brazil: the law permits 2 hours’ overtime daily but some systems only record regular working hours – perhaps for this reason, overtime is one of Brazil’s most litigated areas.

The US does not limit overtime (though state rules may), but it must be paid at 1.5 times the normal rate. In Hong Kong, New

Zealand and Greece also, there are no legal limits.

Certain places take different factors into account: Portugal’s rules depend, for example, on how many employees the employer has. Poland’s rules are also unusual, being linked to annual leave entitlement: the annual maximum of 150 hours can be extended to 384 hours for those with 20 days’ leave and 376 hours for those with 26. It is worth becoming familiar with such nuances in the countries you operate in.

IS CONSENT TO OVERTIME NEEDED?

In some countries, consent is necessary by law, but we found cultural factors are also important. Workers may find it hard to refuse overtime in case this comes across as unhelpful or disloyal.

In France, employees may not refuse overtime, but are protected against dismissal for refusal to work over the statutory limits, as this would violate their rights. In Belgium, if a person does overtime, they must be given compensatory time off later – meaning no extra time is worked overall.

Greek employees can refuse systematic requests for overtime

and in Panama, overtime is only done with consent and time in excess of 3 hours a day or 9 a week is prohibited. In Peru, overtime requires consent and employees can always say no without pressure, unless in an emergency. In Bulgaria also, employees rarely feel pressurised into working extra hours. By contrast in Turkey, where consent is also needed for overtime, some employees do not feel free to refuse. The same applies in Latvia, although, as in many countries, any form of retaliation against refusers is unlawful.

On the other end of the scale, no consent is needed in the US and employees may be dismissed for refusal and often feel pressure to work long hours. In Japan and Hong Kong, workers are also reluctant to say no to overtime. Consent is not needed in Switzerland, but in theory, they only need do overtime if it is ‘necessary’. Yet Swiss employees also worry about the effect of refusal and want to avoid appearing disloyal. In light of this, in countries where people might feel under pressure, employers are wise to keep tabs of how much overtime they tend to request.

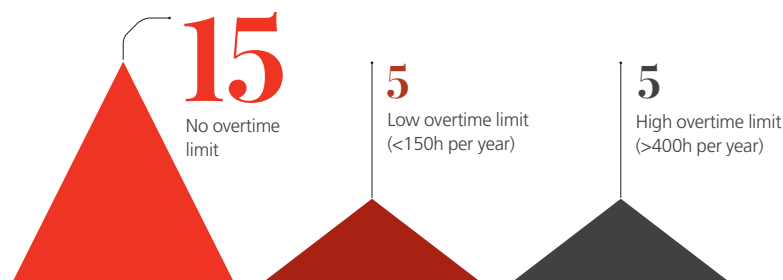


TRAVELLING TIME

The Polish Supreme Court held in 2015 that a sales rep who drove around 200km per day to meetings, including travelling to a warehouse after hours and only getting home around 20:00 each day, should be treated as working during his travel.

ANNUAL OVERTIME LIMIT IN 25 SELECTED COUNTRIES

▲ Number of countries



BREAKS AND REST PERIODS

The law governing short breaks during working time and rest periods between shifts

The rules on breaks and rest periods are surprisingly consistent, with 19 of the countries we surveyed mandating a break after 6 hours of work and none requiring work to continue beyond 6 hours with no break. In terms of rest periods between shifts, 33 countries require either 11 or 12 hours' rest and only one country required less than 11 hours (Israel - 8 hours). We found the rules to be generally well respected across the world from China and Japan, to Greece and Panama. The Austrian legal framework is very strict and administrative fines are high for breach. In Romania, the authorities

THE IMPORTANCE OF ADEQUATE RECORDS

The courts in Ireland have repeatedly ruled that merely telling an employee they can take breaks is insufficient. They must also record whether breaks are taken. This was highlighted in a recent case in which compensation was awarded to an employee who claimed she had not received her breaks. The recording system was ruled insufficient and she received EUR 1,000.

have a strong focus on the rules and employers are wary of fines. In some countries, such as Belarus, the unions sometimes weigh in to ensure the rules are observed. In Switzerland, the rules on breaks are largely complied with, but rest periods are more problematic, as many employers consider them too strict for today's needs.

Factory-based work can lend itself to strict compliance, but office work less so. In offices, it can cut both ways: employees may have more liberty to take breaks when they need, or the fact there is no fixed system means they omit them.

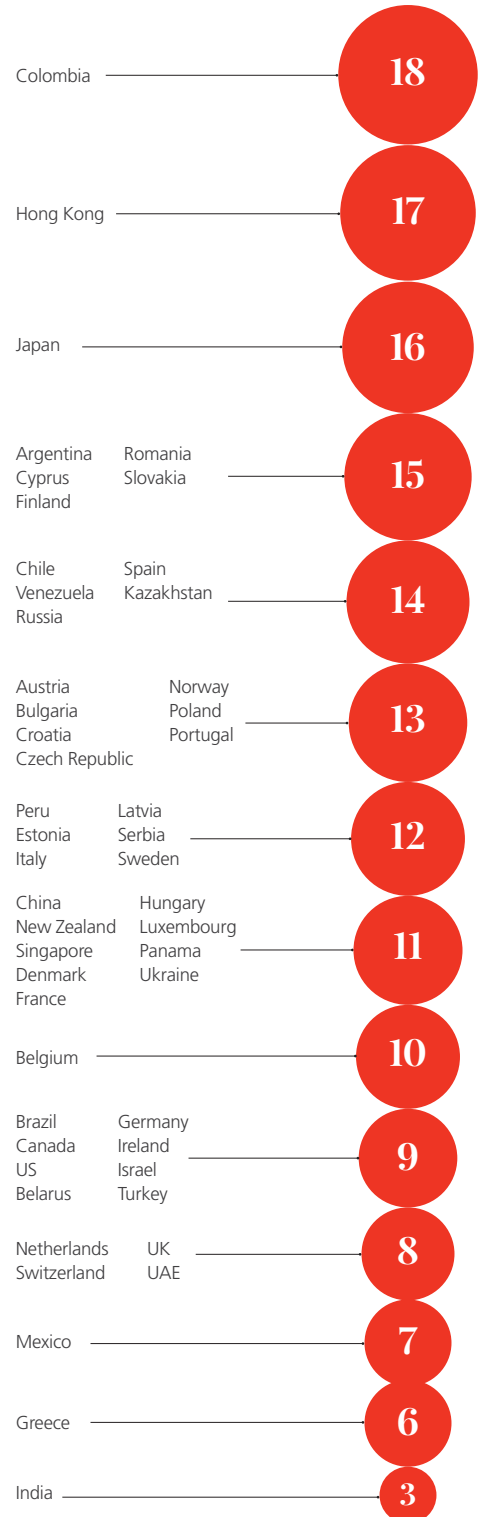
The size of a company and how international it is can be a factor, as we found in Hungary, the Czech Republic, Turkey, Serbia, Estonia, Bulgaria and Ukraine, where large multinationals are more likely to adhere to the rules than local companies.

One difficulty can be trying to track what's happening. Although employers often automatically deduct breaks from working time, whether the employee actually takes the break may not be recorded. In particular, there may be no easy way to enable flexible workers to follow the rules.

PUBLIC HOLIDAYS IN 51 COUNTRIES

Statutory public holidays per year

When considering working time across the world, it's important to factor in public holidays, as the numbers vary quite considerably



Data includes only nationwide statutory public holidays, excluding Sundays, holidays for specific categories of workers and non-federal holidays.



CONSEQUENCES OF BREACHES OF THE LAW ON WORKING HOURS

Many countries have an enforcement authority with power to investigate compliance with the rules on hours, breaks and rest. Failure to comply may lead to a civil claim by employees for overtime pay, along with administrative fines. This is broadly the case, for instance, in Latvia, Portugal, Kazakhstan, and in Latin American countries Argentina, Mexico, Peru, Panama and Venezuela. In Turkey, a similar system exists, but a shortage of labour inspectors means inspections are infrequent and fines rare. In Ukraine and Poland, note that an administrative fine may be imposed directly on the director of the company. In Russia, employers can also be disqualified from the right to be a company director for 1 to 3 years.

The UAE is slightly unusual in having no specific sanctions on employers, but employees can complain to the relevant Ministry

and the employer will be obliged to pay for any overtime and comply with the rules going forward.

CRIMINAL PROSECUTION

In some jurisdictions, there are not only inspections and fines, but also recourse to criminal law. How far criminal sanctions are applied in practice varies, but it is worth knowing the possibility exists.

In Switzerland, failure to comply with the rules on breaks and rest is a criminal offence punishable by a fine. France also has criminal sanctions, the penalty being a fine of EUR 750 or 1,500 per worker and EUR 3,000 for repeat offences. In Hong Kong, failure to provide an employee with one rest day per week can attract a maximum fine of HKD 50,000.

In Finland, a working hours offence can theoretically lead to up to 6 months' imprisonment. In Norway, the law provides for

imprisonment in serious cases, but in practice, this is rare. In India, Israel and Germany also, custodial sentences are possible. In the US, a claim for minimum wage and overtime can result in damages and a penalty for willful or repeated violation - which may be a fine first time and imprisonment second. In Singapore, breach of the law exposes employers to a fine of up to SGD 5,000 for a first offence, and up to SGD 10,000 and/or imprisonment for up to 12 months for subsequent offences. In Sweden, an employer that fails to comply with a prohibition or injunction may be subject to a fine or up to 1 year's imprisonment. Breach of the Estonian rules may result in a fine of up to EUR 1,300 and if there is significant harm to health, a fine and possible imprisonment for up to 3 years. In Poland, 'persistent' infringement of the rules may result in up to 2 years' imprisonment, whereas in Slovakia, forcing employees to work beyond working-hour limits or forego breaks and rest may lead to prosecution for extortion or blackmail.

WHAT OTHER RULES DO EMPLOYERS NEED TO BE AWARE OF?

The working time rules are sometimes very protective, but, as we have seen, this is not the case everywhere, and many workers are exempt from them. However, there are often additional mechanisms to protect employees.

For example, in many countries, health and safety law comes into play. That is the case in the EU, where employers must ensure the safety and health of workers by evaluating risks, taking steps to improve protection and disseminating policies throughout the organisation. It also involves considering a worker's capabilities when setting tasks - conceivably including a susceptibility to stress or overwork. In Germany,

the works council has a right of codetermination in occupational health protection and the trade unions press the cause of work-life-balance whenever possible. In Austria and Hungary, companies must specifically assess psychological stress in the workplace.

In the US, the Occupational Safety and Health Administration has issued guidance on what workers and managers should know to ensure the safety of workers on extended work shifts. Training is available on fatigue prevention for certain types of workers and federal agencies impose rest requirements on workers including airline pilots and truck drivers.

In countries such as Peru, the Constitution is a source of

protection, as it provides for a right of enjoyment of free time and rest. In many jurisdictions, there is also a general duty of care on employers. Such a duty exists in the Netherlands - and there, the sick pay rules are noteworthy: employers pay sick leave for up to 104 weeks, possibly extended by 52 weeks. Most pay full salary for the first 26 or 52 weeks and 70% thereafter. In Japan, if an employee becomes ill as a result of overwork, the Workers Compensation Insurance scheme should pay their medical costs and provide other financial support. However, although the law provides this protection, along with an obligation to monitor the health of employees, overwork is an ongoing issue.

WORK-RELATED STRESS AND OVERWORK

Potential risks of breaching working time rules

Breaches of the working time rules can also have wider consequences for employees, typically work-related stress and even burnout. Although these outcomes cannot automatically be equated with long hours or lack of breaks and rest, as other factors may be involved, this can play a significant part. It is worth noting that whereas claims for breaches of the working hours rules can only be brought in relation to employees subject to those rules, claims of stress and burnout can potentially be brought by any employee.

BURNOUT AND REASONABLE ADJUSTMENTS

In Argentina, the court found in favour of an employee who suffered incapacity as a result of overload and granted the employee compensation.

In the Netherlands, an employee who suffered burnout was awarded compensation because the employer had not taken adequate steps to prevent the employee's high stress levels.

In the UK, in a case of 2002, the court found employers offering confidential counselling unlikely to be liable for psychiatric injury caused by work-related stress, but this no longer holds true, as employers have been found liable despite doing so. But the case prompted many British employers to provide access to counselling services and these schemes remain advisable in the UK.



In Ireland and the UK, an employee can bring a claim for psychiatric injury, such as stress caused by overwork and in Hong Kong employees can claim under disability discrimination law for injury to feelings. Similarly, in Italy, an employee can claim damages for physical or psychological harm caused by overwork and in New Zealand, an employee under excessive stress based on long hours can claim for breach of the obligation to provide a safe workplace and may also claim for hurt and humiliation. In Israel, mental stress can be regarded as a work accident, and can claim for social security.

“

Claims of stress and burnout can potentially be brought by any employee

TRENDS

The culture of 'always on' and the emerging 'right to disconnect'

In most places, the rules on working time date from an era when employees clocked on and off in factories and offices. But new technology is driving a move away from that system towards one where employees, particularly in the higher echelons, work on a range of devices, in any number of locations. Employees are appraised more on output than presenteeism and employers are shifting away from rigid time recording towards a more flexible approach.

But a recent EU working time decision muddies the waters somewhat for the EU, at least. In this Spanish case, against Deutsche Bank before the European Court of Justice, the court ruled that employers had to have an objective, reliable and accessible system to track the duration of time worked each day by each worker, to ensure compliance with the rules on weekly working time.

That can be tricky in an age when we are moving away from that very approach. We asked our firms in all 28 EU member states if the law places those

requirements on employers in their countries at the moment and discovered that 12 did but 16 did not (though some, such as Austria and Poland, are close). The 16 are: Austria, Belgium, Bulgaria, Cyprus, Denmark, Estonia, France, Germany, Greece, Ireland, Lithuania, Luxembourg, the Netherlands, Poland, Sweden and the UK. Quite how employers will be able to meet the requirements remains to be seen.

WORK-LIFE BALANCE AND THE RIGHT TO DISCONNECT

In tandem with the new freedoms to work anywhere on any device, employees sometimes find themselves 'always on' and responding to messages well beyond their stated hours, with their employer

often unaware. Time recording is difficult to do outside the traditional workplaces of office and factory and some employers and employees may also not recognise some of the work-related activities people do today, such as answering emails from home at the weekend, as work.

The EU adopted a new Directive on work-life balance in June 2019 and in Finland a new Working Hours Act comes into force on 1 January 2020, aiming to facilitate flexible working and improve work-life balance. The new Finnish Act replaces the concept of 'workplace' with



Employees are appraised more on output than presenteeism

RECORDING WORKING TIME CUTS BOTH WAYS AND IS A MATTER OF TRUST'

In a Swiss case, an employee had manipulated the recording system to show he had clocked off at 20:41, 20:34 and 20:15, when in fact he had left between 16:00 and 17:00. The court ruled he had been fairly dismissed for cause with immediate effect. The court took a dim view of his conduct because it considered it a serious breach of trust.



'working place', meaning that working hours are time spent working, rather than time spent in a specific place. Arrangements under the Act are suitable for work in which overall goals are more important than fixed working hours. They will be based on agreement between employer and employee and the employee will be able to decide where and when to work at least 50% of the time. Average working hours must not exceed 40 per week over a 4-month reference period. Worklife balance is also being addressed in Sweden, where

DISCONNECTION VIA THE COURTS

The Luxembourg Court of Appeal recently recognized the right of a restaurant manager to disconnect during annual leave and not be "contacted during the night by his superior in a threatening way".

In Ireland, the Labour Court recently awarded an employee compensation of EUR 7,500 for breaches of the working time rules, where her employer had failed to deal with the fact that the employee was regularly using her work email out of hours. The message was clear: employers who fail to respect their employees' right to disconnect can face significant damages. Many workplaces in Ireland now promote work-life balance in response to growing public awareness and the increased risk of claims. Some employers have implemented policies that highlight the importance of 'switching off' and bar emailing outside office hours and during annual leave.



the government is said to be prioritising looking at the notion of 'sustainable working life' in response to issues of stress and burnout in the workplace.

We have also noticed the clear beginnings of a shift towards a 'right to disconnect' from work in some developed nations. In France, since 2016, employees whose working time is counted in days per year have an expressly-recognized right to disconnect and, since 2017, the annual negotiation on equality between women and men must address the right to disconnect. The resulting collective bargaining agreement must include mechanisms to ensure respect for rest, leave and family life. If no such agreement can be reached, the employer must draw up a specific policy defining how employees can disconnect. In Italy, a right to disconnect from technological equipment used for carrying out their tasks is granted to smartworkers. Any agreement with smartworkers must ensure they can effectively disconnect. In Spain, data protection law provides

that employers must consult with employee representatives to design a policy on the right to disconnect and must offer training to employees on how to avoid technological fatigue.

There is also a legislative proposal in the Dutch Parliament to require employers to include a right to disconnect in their working conditions policies. Canada seems to be heading in a similar direction, as the government has proposed changing the law for federally regulated employers to provide an entitlement to disconnect. There is no specific right for employees to disconnect in Germany but in 2014, the Employment Minister considered banning companies from contacting employees out of hours – though nothing has since come of it. Similarly, in New York City earlier this year, a 'right to disconnect' bill was proposed, but there has been no enactment so far. Nevertheless, the signs of change are emerging here and there.

TOP TEN TIPS

Based on our survey, these are some key things employers can do to make sure they are on top of working time-related issues:

01

KNOW THE LAW

Find out the law in the countries in which you operate and make sure to follow it, including any special rules for different sectors and workers.

02

SET OUT THE RULES

Put clear provisions regarding working time in all employment contracts and the staff handbook. Make sure managers and supervisors know the rules.

03

ENFORCE THE RULES

Enforce break and rest time and make sure people take their leave. In countries with strict overtime rules, make sure you follow them and approve any overtime you need. Clarify that overtime will be paid only if authorised.

04

CONSIDER USING TIME-RECORDING EQUIPMENT

Although this can be expensive, in some countries it's worth considering using recording IT – and if you do so, make sure it covers breaks. Note though, that the rules around this can be complex in some places and may involve a registration process, so careful analysis of the pros and cons is needed.

05

MANAGE REMOTE WORKING

Some employees may end up 'always on' and at risk of stress and burnout, so draw up your contracts with home workers carefully.

06

CONSIDER FLEXIBLE WORKING

Think about implementing flexible work arrangements to help employees manage productivity against outside responsibilities.

07

CONSIDER WORK-LIFE BALANCE

It is thought that companies known for imposing too much overtime may have a harder time recruiting, so it is in everyone's interests to get the balance right.

08

FACILITATE DISCONNECTION

If practicable, consider putting in place a policy to enable people to disconnect properly outside working hours.

09

KEEP TABS ON EMPLOYEE MENTAL HEALTH

If you have the resources, consider ways to respond to signs of stress amongst employees. Access to counselling and 'mental health first aiders' can be helpful.

10

REVIEW WORKING TIME POLICIES REGULARLY

Check they are followed and that they keep pace with the changing workplace.

CONTACTS

Ius Laboris is a leading international employment law practice combining the world's leading employment, labour and pensions firms. With an unsurpassed geographic coverage of 58 countries, over 1400 Ius Laboris lawyers help clients navigate the world of HR law every day.

ARGENTINA

Rodrigo Funes de Rioja
rfr@funes.com.ar

Florencia Funes de Rioja
ffr@funes.com.ar

AUSTRIA

Birgit Vogt-Majarek
birgit.vogt-majarek@sms.law

BAHRAIN

Zahir Qayum
z.qayum@tamimi.com

BELARUS

Darya Zhuk
darya.zhuk@cobalt.legal

BELGIUM

Chris Engels
chris.engels@claeyseengels.be
Sophie Maes
sophie.maes@claeyseengels.be

BRAZIL

José Carlos Wahle
jose.wahle@veirano.com.br

BULGARIA

Borislav Boyanov
b.boyanov@boyanov.com
Violeta Kirova
v.kirova@boyanov.com

CANADA

Greg McGinnis
GMcGinnis@mathewsdinsdale.com
Keith Murray
kmurray@mathewsdinsdale.com

CHILE

Enrique Munita
emunita@munitaabogados.cl

CHINA

Zheng Xie
zxie@fangdalaw.com

COLOMBIA

Catalina Santos
csantos@bu.com.co

CROATIA

Andrej Zmikić
andrej.zmikić@dtb.hr

CYPRUS

George Georgiou
george@gzg.com.cy

CZECH REPUBLIC

Nataša Randlová
randlova@randls.com

DENMARK

Yvonne Frederiksen
YvonneFrederiksen@NorrborrnVinding.com

ESTONIA

Karina Paatsi
karina.paatsi@cobalt.legal

FINLAND

Seppo Havia
seppo.havia@dittmar.fi

FRANCE

Pascal Lagoutte
lagoutte@capstan.fr

GERMANY

Markus Bohnau
markus.bohnau@kliemt.de

GREECE

Konstantinos Kremalis
kkremalis@kremalis.gr
Dimitrios Kremalis
dkremalis@kremalis.gr

HONG KONG

Kathryn Weaver
kathryn.weaver@lewisilkin.com

HUNGARY

Marianna Csabai
marianna.csabai@clvppartners.com
Henrietta Hanyu
henrietta.hanyu@clvppartners.com

INDIA

Vijay B. Ravi
vijay.ravi@kochhar.com

IRELAND

Siobhra Rush
siobhra.rush@lewisilkin.com

ISRAEL

Orly Gerbi
gerbi@hfn.co.il

ITALY

Valeria Morosini
svm@toffolettoeludca.it

JAPAN

Kazutoshi Kakuyama
kazutoshi.kakuyama@amt-law.com

KAZAKHSTAN

Yulia Chumachenko
y.chumachenko@aequitas.kz

LATVIA

Toms Šulmanis
toms.sulmanis@cobalt.legal

LITHUANIA

Žilvinas Kvietkus
zilvinas.kvietkus@cobalt.legal

LUXEMBOURG

Guy Castegnaro
guy.castegnaro@castegnaro.lu

MALTA

Matthew Brincat
mbrincat@ganadoadvocates.com

MEXICO

Jorge De Presno Arizpe
jorgedepresno@basham.com.
mxNETHERLANDS

Erik Deur
e.deur@bd-advocaten.nl

NETHERLANDS – PENSIONS LAW

Roel Veugelers
roel.veugelers@bvza.nl

NEW ZEALAND

Peter Kiely
kiely@kctc.co.nz

NORWAY

Claude Lenth
cal@hjort.no

PANAMA

José Miguel Navarrete
jnavarrete@anorco.com.pa

PERU

José Antonio Valdez
joseantoniovaldez@esola.com.pe

POLAND

Katarzyna Dobkowska
katarzyna.dobkowska@raczkowski.eu

PORTUGAL

Inês Reis
ines.reis@pbbr.pt

ROMANIA

Ion Nestor
ion.nestor@nndkp.ro

RUSSIA

Irina Anyukhina
ianyukhina@alrud.com

SAUDI ARABIA

Zahir Qayum
z.qayum@tamimi.com

SERBIA

Milena Jakšić Papac
milena.papac@karanovicpartners.com

SINGAPORE

Desmond Wee
desmond.wee@rajahtann.com

SLOVAKIA

Dušan Nitschneider
nitschneider@nitschneider.com

SLOVENIA

Gregor Simoniti
gregor.simoniti@selih.si

SOUTH KOREA

Sang Wook Cho
swcho@yulchon.com

SPAIN

Iñigo Sagardoy
is@sagardoy.com

SWEDEN

Jenny Hellberg
jenny.hellberg@elmzell.se

SWITZERLAND (GER)

Alfred Blesi
alfred.blesi@blesi-papa.ch
Roberta Papa
roberta.papa@blesi-papa.ch

SWITZERLAND (FR)

Anne Troillet
anne.troillet@schneider-troillet.ch

THAILAND

Sui Lin Teoh
sui.lin.teoh@rajahtann.com

TURKEY

Maria Çelebi
maria.celebi@bener.av.tr

UKRAINE

Oksana Voynarovska
voynarovska@vkv.kiev.ua

UNITED ARAB EMIRATES

Samir Kantaria
s.kantaria@tamimi.com

UNITED KINGDOM

Michael Burd
michael.burd@lewisilkin.com
James Davies
james.davies@lewisilkin.com

UNITED KINGDOM – PENSIONS LAW

Michaela Berry
michaela.berry@sackers.com


UNITED STATES OF AMERICA

Jeff Mokotoff
jmokotoff@fordharrison.com
Tiffany Downs
TDowns@fordharrison.com

VENEZUELA

Victorino Márquez
vmarquez@dra.com.ve



 @IusLaboris

 Ius Laboris

www.iuslaboris.com

copyright Ius Laboris 2019

ISBN: 9789463960908



9 789463 960908

Nothing in this publication should be treated as an authoritative statement of the law and the opinions expressed should not be taken as fact. This report should in no circumstances be relied upon without first taking legal advice.